

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
PUBLIC MEETING AGENDA
WORKSESSION/REGULAR PUBLIC MEETING
JUNE 9, 2011**

APPROVED 8/25/11

1. OPENING OF THE MEETING

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Worksession/Regular Meeting of the Planning Board.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

2. PLEDGE OF ALLEGIANCE

3. SWEARING IN OF MEMBERS:

4. ROLL CALL:

PRESENT: Mayor Birkner
Thomas Constantine
William Martin
Councilwoman Cynthia Waneck
Philip Cerruti
James Schluter, Vice-Chairman
Jaymee Hodges, Chairman
Keith Doell (Alt. #2)

ALSO PRESENT:

Thomas Randall, Esq., Board Attorney (8:20pm)
Ed Snieckus, Burgis Associates, Board Planner
*Louis Raimondi, Brooker Engineering,
(*not required) Board Engineer

ABSENT: Richard Bonsignore (excused absence)
Daniel Olivier (excused absence)
Ann Costello (Alt. #1) (excused absence)

5. MINUTES: The Minutes of **5/26/11** were carried to the next meeting.

(WWPB 6/9/11)

6. **CORRESPONDENCE:** None

7. **RESOLUTIONS:**

1. **Greentree Developers, LLC - 10 & 20 Kinderkamack Road-Site Plan and Variance Application, Block 1608, Lots 15 & 16 - Rainbow Academy Child Care Center** - A motion for approval was made by Mr. Cerruti and seconded by Mr. Constantine. On roll call vote, Mayor Birkner, Mr. Constantine, Mr. Cerruti, Mr. Schluter, Councilwoman Waneck, and Chairman Hodges voted yes.

8. **VOUCHERS:** None

9. **VARIANCES, SUBDIVISIONS AND/OR SITE PLANS:** **NONE**
SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS
The Board Professionals were sworn in

10. **DISCUSSIONS:**

1. **Analysis of Master Plan Discussion by Ed Snieckus - Review of the Zone Districts and Objectives Discussion of 6/3/11 Memo of Ed Snieckus RE: H, HSO, RW and LM District Analysis, and the 6/9/11 Memo of Ed Snieckus RE: H-Hospital Zone District Review** - Mr. Snieckus gave an overview of the H, HSO, RW and LM District Analysis. He would address how we can encourage the uses established in the zone.

The aerial photograph of the zones from the DEP website was enlarged and displayed on an easel. The primary discussion would encompass the H - Hospital Zone; HSO - Health Service Office Zone; R1, R3 Zones, the RW-Retail Wholesale Zone, and the LM - Light Manufacturing District. We would be concentrating tonight on the H, and HSO Zones, Mr. Snieckus noted.

Per the Board's request, he offered the following excerpts from the 2005 Master Plan Re-Examination for the H, HSO, R and LM Zone districts for review and consideration in formulating recommendations for the current re-examination report. Additionally, he included, where applicable, the input from the public and correspondence from the Westwood Taxpayers Alliance for consideration.

H-Hospital Zone and HSO-Health Service Office Zone
RW-Retail-Wholesale District and LM-Light Manufacturing District

2005 Master Plan Re-Examination Report: ***Proposed Amendments to Development Regulations and Land Use Plan***

5.2 (1) (b) – Health Service Office (HSO) Zone. The future redevelopment of properties in the HSO zone should be compatible with the Land Use Plan and contributes to the ratable base of the community. The limits of the Pascack Valley Hospital properties are recommended to be contained within its own zone recommended as a new zone titled the “H” zone specifically tailored to the hospital. The existing specific permitted bulk standards for hospitals would apply to this zone as follows:

Hospitals. Hospitals shall comply with the following:

Minimum Lot Area 20 acres

Minimum Lot Frontage 500 feet

Minimum Lot Depth 300 feet

Maximum Building Height (st./ft.) 5 sty or 65 feet, whichever is less

Minimum Building Setbacks 100 feet

Maximum Lot Coverage 60 percent

The remainder of the HSO zoned properties would remain in the HSO zone designation and it is recommended that hospital uses be removed from this zone.

It is further recognized, in consideration of the recent improvement and expansion of services at the Hospital, that the properties in the surrounding non-residential zones may experience an increase in the demand to revitalize to accommodate related medical and support services. It is therefore recommended as the facilities and services at the hospital evolve that this potential new market be examined and considered in future land use modifications.

Re-examination update The 2005 Re-examination Report recommendation established a basis for the creation of the H-Hospital Zone containing the current HUMC North at Pascack Valley Hospital (formerly Pascack Valley Hospital) from portions of the HSO Zone. The “H” zone was established by a 2006 zoning amendment with a specific purpose to provide for a community hospital and medical education facility. The remainder of the HSO was amended removing the hospital use although the supportive medical office purpose of the HSO was maintained.

After the establishment of this zone and the completion of an expansion to modernize and expand services at the facility, the former hospital operator sought to sell the hospital to Hackensack University Medical Center (HUMC) due to financial difficulties. This purchase did not occur and the hospital sought bankruptcy protection and consequently closed but the hospital certificate of need was purchased by HUMC. The property and facilities was then purchased at auction by HUMC and Legacy Hospital Partners Inc. The closure and subsequent events caused the license to operate a full service hospital to lapse although the facility is open and operates as a satellite emergency services facility. A Certificate of Need application by HUMC to reopen a full service hospital has been made in response to a call for applications to New Jersey Department of Health and Senior Services and is currently under review.

The opening of a full service hospital is critical to the continued land use purpose of the H Hospital and HSO Health-Service-Office zone. It is apparent that the operation of a fullservice hospital facility for over 40 years at this location was the primary stimulus for development of the majority of the properties in HSO zone in the borough as well as development in adjacent zoning districts. The neighboring properties were developed to service or contribute to the

health care business environment associated with the hospital. While some of these facilities may have become vacant due to the closure of a full service hospital, it is important to identify that a significant amount of medical offices and related services remain. The existing medical uses and building infrastructure continue to provide considerable resources to the current and future operations of the hospital. In addition, the HSO zone is the location of the Care Oneta Valley Nursing Home containing 120 beds. This facility was developed in close proximity to the hospital for access to immediate and specialized medical care provided by the former hospital and remains in need of such a facility.

The aging of the population projected for the Borough of Westwood and the region will continue into the foreseeable future due to the aging of the generation known as "Baby Boomers". This increase in age and the projected increase in the population of the borough and the region will augment the need for a full service hospital facility and the subsequent expansion of supplemental medical offices and rehabilitation services. To establish the framework by which the borough can shape the continued evolution of the H and HSO zone, it is recommended that the master plan include a vision statement for the future of this area as a medical, health care, research and technology center. This vision statement will underscore the continued support for an acute care medical services purpose of the hospital and the supportive medical and rehabilitative uses in the HSO zone. In addition, the adjacent zones of the LM and RW are recommended for consideration as other zones whereby complimentary uses could be permitted such as medical research and development and licensed rehabilitation facilities.

It is also important to consider in the boards analysis that these zone districts are served by Old Hook Road (Bergen County Route 502), which provides an East to West primary collector roadway. Old Hook Road provides direct connections to the North-South county roadways of Kinderkamack Road to the West and Schraalenburg and Knickerbocker Road to the East. These direct connections to the regional road network further support the vision for these districts.

2005 Master Plan Re-Examination Report noted *Major Land Issues currently facing the municipality*

#7 – The continued adaptation of pre-existing buildings in zones such as the LM, LB and RW zones, needs to be encouraged in order to re-use these structures. A review of permitted uses within these zones should be undertaken in order to insure they represent contemporary trends and offer additional opportunities to re-use existing structures. The re-use of a structure should be on balance with the ability of the properties to adapt and adequately serve the proposed use.

Re-examination update While the LB zone has been amended to three separate zones since the last master plan re-examination, the LM and RW zones have not been further amended to expand upon their permitted uses. The 2005 master plan reexamination included conditional use recommendations to permit a mixed use office and age restricted 55 and over townhouse and multi family development in the LM district. This recommendation included specific conditional use requirements including key features such as; a minimum lot area of 3 acres, such a lot shall abut a residential district and provide a transitional use buffer of 100 feet from non-residential uses to residential uses off site. The board should re-evaluate if this recommendation is to be continued in the current re-examination. It is offered that the age restriction on residential development has become a less definitive use designation following the state adopting the recent Age Restricted Conversion Act.

This legislative action (N.J.S.A. 45:22A-46.3 to 46.16) permitted multifamily age restricted developments that received approval prior to the act, to be converted to a non-age restricted development although they are also subject to other specific conditions. While it is important to note that this act only applied to approved project prior to the act, this action does make an age restriction potentially revertible in the future if such an act is established due to market changes. The age limiting factor would have otherwise minimized the fiscal impact of a non-age restricted residential development by the potential number of school age children that may be in such a development on balance with the tax rate estimated for such a development.

The Westwood Tax Payers Alliance (WTPA), noted in their recommendations for the boards consideration that a mixed use housing development should be permitted in the RW and LM zone only to the extent it encouraged the development of primary uses as specified. In addition, the WTPA recommended the following additional uses for consideration in the LM and RW zones:

All uses permitted in the HSO zone (conditionally)

Automotive body repair

Automotive repair

Car leasing and rental

Day care and nursery schools [*currently permitted by state statute in all non-residential districts*]

Fabrication businesses

Garden Centers and Nursery (landscapers a conditional use)

Light manufacturing [*Permitted LM district*]

Contractor yards (permitting; painters, plumbers, carpenters, electricians, roofing and excavators)

Warehousing [*Permitted LM district*]

Security businesses

Self storage facilities

The purpose identified in the RW Retail/Wholesale District, is to acknowledge the existing area of outlet and wholesale establishments. The inclusion of automotive, car rental, light fabrication or manufacturing, contractor yards, warehousing and self storage would be expanding the purpose of this zone. If the board chose to permit these uses, this inconsistency would require the identification of the intent to expand the purpose of this zone. Recognizing that this zone has not been occupied to the extent of the stated purpose for this district due to numerous probable market factors, we recommend this district could be expanded as noted to provide the evolution of this zone.

The purpose of the LM district is to permit light manufacturing, warehousing, office and research uses. This zone includes a number of uses offered above although; uses such as contractor yards, security businesses and self storage facilities are not specifically permitted. The purpose of this zone is not largely dissimilar from these uses so they could be permitted without the need to amend the purpose of the zone.

It is further recommended that there-examination report contain a statement noting that subject to the HUMC North at Pascack Valley being reopened as a full service hospital (Hospital Zone), the LM and RW zone could be appropriate locations to conditionally permit

(WWPB 6/9/11)

certain uses permitted in the HSO zone. This would further a vision statement of a medical, research and technology center in this region of the borough serving the northeast region of Bergen County.

2005 Master Plan Re-Examination Report noted *Major Planning Issues and Goals*

3.1h – The areas noted in the prior re-examination have experienced minor upgrades and adaptive reuse. The LM zone adjacent to Old Hook Road remains as a limited manufacturing industrial and warehouse zone, which continues to serve a mixed diversity of land uses. The permitted uses within this zone should be further evaluated to determine if they represent uses that could revitalize existing properties as well as to encourage uses, which can serve the needs of the community.

The properties along Broadway in the LB zone remain relatively unchanged since the 1999 re-examination with minor improvements to a few buildings. It remains as an area that has not evolved to its full potential and further evaluation of the permitted land uses and bulk criteria are needed in order to establish further revitalization of this area. Additional regulations have been enacted that constrain further development in this area including the C-1 designation for the Pascack Brook, which is contiguous to this area.

Re-examination update: Recommendations to amend the current uses in LB, 2 and 3 zones was re-examined in an earlier memorandum. As previously noted, the LM zone continues to provide a mixed diversity of land uses and recommendations are offered above to expand the permitted uses to further this objective and to help continue to improve the vitality of this district.

2005 Master Plan Re-Examination Report: ***Specific Changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies, and standards, or whether a new plan or regulations should be prepared.***

Goal #7: To preserve and enhance the borough's commercial areas by: defining their functional role in the community, enhancing the quality of life within the commercial center through an appropriate mixture of activities; encouraging the assemblage of small properties to foster an efficient and attractive design; encouraging the use of the design elements identified in the Land Use Plan; and, encouraging the consolidation and expansion of off-street parking to provide greater convenience for shoppers.

Policy Statement: The borough seeks to encourage the continued development of the community's business district for retail and service commercial uses serving the daily needs of the resident population. The borough's broad land use policy is to reaffirm a central business district with its own integrity, uniformity of purpose, and integration of building, landscaping, signage, design and parking elements as set forth in the Land Use and Central Business District Plans, and also encourage the establishment of a definitive developmental character for the other commercial and business categories delineated herein.

Re-examination update This goal and policy statement as it pertains to the H, HSO, LM and RW districts, remain applicable and should be reaffirmed.

(WWPB 6/9/11)

2005 Master Plan Re-Examination Report: ***Specific Changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies, and standards, or whether a new plan or regulations should be prepared.***

Section 5.2 (1) (c) – Light Manufacturing (LM) Zone. *It has been noted during this re-examination that due to physical conditions and market forces, several properties within this zone have not been developed or adaptively re-used as was contemplated in the land use plan. In order to permit some diversification in land use options, we well as to provide transitional uses along the perimeter of that zone, it is recommended that consideration be given to permitted Mixed Use Office and Age Restricted 55 and over Townhouse and Multifamily Residential Development be permitted as a conditional use in the LM zone. It is recommended that a development of this type incorporate an office transitional use, along a tract boundary adjacent to existing light industrial uses in the zone. In addition, a development should also border upon single family zoned properties, forming an additional level of transition to adjacent residential uses. The appendix provides a model ordinance as a point of reference in the consideration of this recommendation.*

Re-examination update As noted in the review of the land use issues facing the LM district above, the continued recommendation of the mixed use age restricted residential amendment should be reviewed by the board to assess if this recommendation should be continued.

2005 Master plan Re-Examination Report: ***Amendments to Development Regulations***

Section 65C-123: *The sign ordinance should be further refined to require that backlit signs be permitted only with an opaque background for all zones. This feature provides the required identification without the excessive illumination of the sign contributing to glare and light pollution. The 12 inch maximum letter height within the CBD/SPE zone and consequently the CBD, CO, LB, LM, and RW zones may be too restrictive within the maximum 2 foot sign panel when a sign is to be lettered in lower case letters. This is due to the fact that certain font types have letters which extend below the common justifying line for the lettering such as the letters “p” “g” or “y”. It is therefore recommended that the ordinance be amended to permit an allowance of 6 inches additional height for ascending or descending lower case letters.*

Re-examination update The recommendation requiring an opaque background for backlit signs has been enacted and therefore is no longer needed. The adjustment to the 12 inch letter size was not amended to date and remains a valid recommendation.

Chairman Hodges thanked Mr. Snieckus for his detailed presentation. Board comments followed. Councilwoman Waneck commented. Mayor Birkner thanked Mr. Snieckus and commented this is a tremendous opportunity to have a vision of how these areas will impact the Pascack Valley for many years to come. We must look at what types of services are successful in close proximity to hospitals in northern NJ and beyond. We are looking now at what was envisioned 50 years ago, and we must now look towards the future. The Borough looks very much forward to the reopening

(WWPB 6/9/11)

of the hospital. Mr. Martin commented it is very important to establish policy statements and supporting language, as well as other uses that would support the zone. Mr. Doell commented it is important to contain the size and control the aesthetics of the hospital. Mr. Schluter commented we must look at the zone and ways to perpetuate it.

Chairman Hodges opened the meeting for comments from the public. John J. Lamb, Esq. came forward, representing the Westwood Taxpayers Alliance, consisting of approximately 30 business owners and tax payers in the Borough. His comments focused on the H and HSO Zones, but also the RW and LM Zones. Mr. Hodges advised we would be coming back to the RW and LM Zones. Mr. Lamb agreed with the approach that there should be vision, as stated in Mr. Snieckus' reports. As for the history of the hospital, Mr. Lamb gave an overview, stating that as far back as 1996, it had a heavy nursing presence. The hospital started in 1957 and increased steadily to 224 beds in 1987. There is a prediction that there will be a shortage of doctors in the future. They advocate a teaching facility and programs and services that encourage training of doctors. At all times during the last two years while the hospital was closed, a majority of the people in the Borough and the surrounding municipalities still want the hospital in this zone. The timing was that everyone had the opportunity to see what happened in a two-year period, and they want the hospital back. When you take your vision statement, what is appropriate is that the Planning Board should make sure this is an anchor and remains an anchor. Hopefully, the hospital obtains its Certificate of Need. The Board should look at the whole area to make sure that the uses support the zone. This hospital is also near a major County intersection and near mass transit. Mr. Lamb thanked the Board and Mr. Snieckus.

Mr. Hodges commented there was an FAA helipad constructed and the Fire Department was very well pleased. Mr. Martin commented there was a resolution passed for that site, and it is still in effect.

Mr. Lamb introduced Mr. Glenney of HUMC, who thanked the Board and advised they filed their Certificate of Need application on 6/1/11. He outlined the next steps. The Department of Health will declare the application complete and turn it over to the Planning Board for a meeting and make a

(WWPB 6/9/11)

recommendation. The State will also be conducting architectural reviews and specific plans and hopefully granting an approval. They anticipate starting construction immediately upon receiving a C/O. The construction should be completed by 2012.

Mr. Glenny introduced Richard Freeman of HUMC North, who spoke at length. He was approached with this opportunity and was very excited to embrace this project and stated that their dreams of opening the hospital and making it an anchor will be fulfilled.

Thomas Wanner came forward and spoke about the HSO Zone. He commented, when you consider making changes, please keep in mind that until we know what specifically will be on site, we should keep control of the parameters.

John Hakemian came forward and commented if it were not for the hospital, the City of Hackensack would not be what it is today. Rents are up, bringing in better clientele and offices. This leads to the viability and growth of the town, and he sees no negative affects and nothing but positive affects on the town. It is a great thing. He asked if there was an element for wellness in the plan, and Mr. Snieckus responded yes.

The Board took a recess from 9:15-9:25 p.m.

Mr. Snieckus continued with the RW and LM Districts, based on his report with excerpts hereinabove. The LM District borders the HSO Zone, and the RW is to the northwest.

Questions from Board followed. Mr. Martin gave insight, mentioning a golf academy in the LM or RW Districts. Mr. Constantine noted there are some great businesses back there that perhaps no one knows about. He inquired about the number of vacancies, and Mr. Snieckus indicated he was preparing an exhibit. Mr. Martin suggested perhaps a member of the public would have information as to same. Mr. Heck stated there are some office vacancies, probably as a result of the hospital being zone. It is a difficult area, since the LM zone has been so restrictive. Mr. Wanner reported a transmission place next to the car wash was vacant. It was felt there were numerous vacancies. Chairman Hodges commented it was their hope to fill those vacancies and promote growth. Councilwoman Waneck added to the history of the LM, and that the age restriction was acted

(WWPB 6/9/11)

upon by way of ordinance. There were a number of reasons it would be a burden rather than a positive. We are talking again about mixed use in the CBD, but every time we talk about mixed use, we are talking about rentals, increasing the housing units. Chairman Hodges commented several surrounding communities have had age-restricted housing and failed. They have gone to regular apartment buildings, just to have them rented. It is zoned LM, and it should be used to its fullest capacity.

Mr. Lamb came forward and stated there were a number of light manufacturing and automotive uses. The Teledyne Building has been vacant for seven years. They tried to rent it for light manufacturing, but could not rent it. One thing to look at is how to make that building active. Mr. Meisel commented the uses that have survived over the years are evidence of the uses that thrive there.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 10:05 p.m.

Respectfully submitted,

MARY R. VERDUCCI, Paralegal
Planning Board Secretary